

**DELTA STEWARDSHIP COUNCIL
DELTA PLAN INTERAGENCY IMPLEMENTATION COMMITTEE**

April 16, 2018

Tsakopoulos Library Galleria

828 I St, Sacramento

MEETING SUMMARY

The Delta Stewardship Council (Council) established the Delta Plan Interagency Implementation Committee (Committee) after adoption of the Delta Plan in 2013 and continues to coordinate and oversee Committee activities as required by the Delta Reform Act. The Committee serves as a forum to discuss, consider, and orchestrate the timely and orderly implementation of the Delta Plan and Delta Science Plan as well as a venue to coordinate on priorities and best management practices intended to improve statewide water supply reliability and ecosystem conditions in the Delta. The ninth Committee meeting took place on Monday, April 14, 2018 and was called to order by Chair Randy Fiorini.

Attendees

The following were in attendance (alphabetical):

Josephine Axt, Chief of Planning, US Army Corps of Engineers (USACE)
John Callaway, Lead Scientist, Delta Science Program
Dan Castleberry, Assistant Regional Director, Fish & Aquatic Conservation, US Fish & Wildlife Service(USFW) *(for Paul Souza, Regional Director)*
Austin Ewell, Deputy Assistant Secretary for Water and Science, Department of the Interior (DOI)
Randy Fiorini, Chair, Council and the Committee
Debra Kustic, Deputy Executive Officer, Sacramento-San Joaquin Delta Conservancy *(for Campbell Ingram, Executive Officer)*
Gail Louis, US Environmental Protection Agency Region 9 (US EPA) *(for Tomas Torres, Water Division Director)*
Cindy Messer, Chief Deputy Director, Department of Water Resources DWR*(for Karla Nemeth, Director)*
Jenny Lester Moffit, Deputy Secretary, California Department of Food and Agriculture (CDFA)*(for Karen Ross)*
David Mooney, Deputy Area Manager, Mid-Pacific Region, US Department of Reclamation (Reclamation)*(for Federico Barajas, Deputy Regional Director)*
Kristen Peer, Assistant General Counsel, California Environmental Protection Agency (CalEPA) *(for Matt Rodriguez, Secretary)*
Karen Ross, Secretary, California Department of Food and Agriculture (CDFA)
Timothy Ramirez, Board Member, Central Valley Flood Protection Board (Flood Board)*(for Bill Edgar, President)*
Eileen Soback, Executive Director, State Water Resources Control Board (Water Board)*(for Felicia Marcus, Chair)*
Mark Sogge, Director, Pacific Region, US Geological Survey (USGS)
Barry Thom, West Coast Regional Administrator, National Oceanic and Atmospheric Administration (NOAA) Fisheries, West Coast Region
Skip Thomson, Chair, Delta Protection Commission (DPC)
Kristopher Tjernell, Special Assistant for Water Policy, California Natural Resources Agency (Resources) *(for Secretary John Laird)*

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Carl Wilcox, Policy Advisor to the Director for the Delta, California Department of Fish and Wildlife (DFW) (*for Chuck Bonham, Director*)

In addition to those listed above, various experts and managers presented to the Committee (in order of appearance):

Amanda Bohl, Special Assistant for Planning and Science, Council
Mike Roberts, Special Assistant for Delta Restoration, Resources
Jeff Mount, Ph.D., Senior Fellow, Public Policy Institute of California (PPIC)
Bruce DeGennaro, Facilitator of Collaborative Science and Adaptive Management Program (CSAMP) and Collaborative Adaptive Management Team, and Executive Director, State and Federal Contractors Water Agency
Tracy Collier, Ph.D., Member, Delta Independent Science Board and former Science Director for the Puget Sound Partnership
Mark Lubell, Professor of Environmental Science and Policy, University of California, Davis and member of the Delta Science Program Science Advisory Committee

Overview and Introductions

Chair Fiorini began the meeting by introducing and welcoming new Committee members and by asking Committee members to introduce themselves. Following introductions, Chair Fiorini introduced Amanda Bohl, recently appointed Committee coordinator. Ms. Bohl walked the Committee members through the meeting materials binder.

California Water Action Plan and The Delta Plan – How Are They Working and What's Next?

The Committee began with a discussion regarding how the Governor's California Water Action Plan (CWAP) and the Delta Plan have impacted their work in an effort to highlight the successes of each plan and to develop a Delta Issues Briefing Paper to be shared with the next administration. The conversation was framed by two questions: 1) Which recommendations in both plans have guided your work in the Delta; and 2) What should be included in the next CWAP related to the Delta and the coequal goals?

In regards to the first question, Committee members described the plans as instrumental to guiding most if not all of their work in the Delta. Ms. Messer noted that the adaptive management philosophy from the Delta Plan, data management and data reporting (in both plans), and groundwater recommendations in the CWAP, as key. Ms. Moffit mentioned the shift to "water conservation as a way of life" that has been inspired in part and guided by these plans. Ms. Sobeck mentioned an excitement for the plans' role in informing the Bay Delta Water Quality Control Plan, particularly with their call for a reduced reliance on the Delta, which has sparked an effort to help communities become more self-reliant across the state. Other points included how the plans have raised the level of interagency complementarity between various projects in the Delta by framing the big picture of the current and future Delta.

With regards to question two, Mr. Thomson noted a series of points that identified room for improvement in both plans, including increased emphasis on Delta as a Place, decreasing reliance on the Delta, and increased involvement of local government and stakeholders in the State's planning processes. Ms. Peer raised a call to action to help underscore the work that has already been done across agencies. Mr. Ramirez expressed a need to emphasize floodplains in the upcoming plan updates and noted that the San-Joaquin Valley system has many issues that need addressing which will require more money in the near

term. Mr. Ramirez also called for increased interconnectedness and coordination in flood plain management.

Dr. Callaway stressed the need to consider climate change in all that we do, with particular emphasis on the science that supports agency decision making, in both the immediate and long term.

Mr. Wilcox called for coordination across projects, between locals and the State, and highlighted the Delta Conservation Framework. Mr. Wilcox also emphasized the need for continued pursuit of multi-benefit restoration projects.

Mr. Tjernell stated that the current success of the CWAP is in large part due to the tremendous amount of State agency ownership, suggesting that we consider how to empower the next administration to feel the same degree of ownership over their CWAP as this administration has with the current version. To that end, he recommended the Committee not supply the next administration with “CWAP 2.0” essentially written for them, but rather find a way to have them claim ownership.

Mr. Fiorini agreed and reminded the committee that over the next 6 months the agencies would be working together to identify the key features of the CWAP, to simply communicate to the next administration.

Mr. Tjernell and Mr. Roberts provided an update on EcoRestore. Mr. Tjernell mentioned the need to increasingly consider how to incorporate local interests in State plans and to move beyond the idea that there is necessarily a conflict between State goals and local goals. To cite progress made on this front, he referenced the successes in the Yolo Bypass, which came about because of constant communication with DPC constituents regarding how to engage agricultural communities. Mr. Tjernell concluded with the belief that the ultimate limit of success in the future is engaging communities in this way.

Mr. Roberts addressed the value of the EcoRestore program. After giving a 2018 forecast for the EcoRestore program with respect to project implementation (six sites will break ground this year), he emphasized that every single project individually makes a big difference with respect to fulfilling the values of the State and the people. Mr. Roberts also mentioned that these projects are often proving grounds for new ideas, and can identify barriers that may impede similar projects in the future. He concluded by asking the Committee to stay the course with EcoRestore.

Delta Ecosystem 2050-2100 - Identifying the Desired Future and Vision for Restoration and Recovery

Dr. Mount gave a summary of a recent four-part series of blog posts, published by the PPIC Water Policy Center, which discussed management challenges in the Delta¹²³⁴. Dr. Mount’s presentation was structured around the five key points further outlined in the blog posts.

¹ <https://californiawaterblog.com/2018/02/13/advice-on-voluntary-settlements-for-californias-bay-delta-water-quality-control-plan-part-1-addressing-a-manageable-suite-of-ecosystem-problems/>

² <https://californiawaterblog.com/2018/02/21/advice-on-voluntary-settlements-for-californias-bay-delta-water-quality-control-plan-part-2-recommended-actions-to-improve-ecological-function-in-the-delta/>

³ <https://californiawaterblog.com/2018/02/27/advice-on-voluntary-settlements-for-californias-bay-delta-water-quality-control-plan-part-3-science-for-ecosystem-management/>

⁴ <https://californiawaterblog.com/2018/03/08/is-ecosystem-based-management-legal-for-the-sacramento-san-joaquin-delta/>

Rather than try to solve all of the problems in the Delta simultaneously, Dr. Mount called instead for prioritization of immediate opportunities. For example, first deal with food web productivity. Next, manage freshwater flows, landscape issues, and tidal energy to restore ecosystem conditions that are currently favorable to undesirable non-native plants and animals. While there is disagreement around the volume of freshwater flows, Dr. Mount advocated for a revised way of allocating these flows that factors in timing and geography more heavily. Intricately linked to this is the management of tidal energy, which can be seen as a resource rather than a constraint.

Third, Dr. Mount advocated for an increasingly ecosystem-based approach, rather than single species-based approaches, arguing that populations of some targeted species are so low that they are no longer useful as ecosystem indicators, and that broader ecosystem objectives and performance measures should be created and implemented.

Dr. Mount also mentioned that investments should be prioritized towards those places that create the highest return on investment, not spread across the entire Delta. Dr. Mount also emphasized a need to consider the future costs of managing algal blooms, which are predicted to become an even more difficult problem in the future.

Finally, Dr. Mount suggested that the science infrastructure transition to a joint powers authority built around the Delta Science Program, emphasizing that no other agency is better structured for this task. Dr. Mount also suggested that a joint powers structure may work for EcoRestore.

Mr. Wilcox argued that a view constrained by such a short timeline without a long-term perspective would not be effective and challenged the idea that substantial progress in the Delta is not being made. Dr. Mount responded that he agreed, but a view to 2100, which Mr. Wilcox advocated for, is too far in the future given the many uncertainties of the Delta. He also replied that substantial progress has been made, but with planning rather than implementation. Projects could and should be linked under a common vision across agencies. Dr. Mount stated that this is difficult considering that the functions of the agencies comprising the Committee do not function at the same pace. Mr. Ramirez brought up the Yolo Bypass as an example, noting that many projects have been done in the region but few have been linked together under a common vision.

Mr. Thompson mentioned that restoration efforts have the potential to seriously displace agricultural land and operations. The blogs did not mention this; Mr. Thomson asked how this factored in to the PPIC's ideas. Dr. Mount responded that the PPIC has only provided priorities determined by the science, but successful implementation of these priorities cannot be done without significant social, environmental, and economic tradeoffs. The social science aspect is a critically necessary part of moving the Delta forward, but it is not what was offered in the blogs.

Chair Fiorini asked what resources are required to move the Delta forward, and if there are incentives that can effectively encourage ecosystem friendly projects. Ms. Ross, who arrived and replaced Ms. Moffit for the CDFA, brought up the need for and difficulty in creating performance measures that quantify broader ecosystem functions. Dr. Mount stated that the State Water Quality Control Plan has the best opportunity to develop and implement these kinds of performance measures. He also mentioned that other systems, including Chesapeake Bay, have developed ecosystem-based performance measures.

Mr. Thom mentioned a need for the measuring of benefits rather than only potential problems with proposed projects, particularly as the need for multi-benefit projects increase.

Mr. Wilcox issued a reminder that increasing collaboration often means projects take more time, and cautioned that fast-paced restoration planning and implementation may not be feasible. Dr. Mount asked if Mr. Wilcox thought the existing governance structure adequately allows for efficient collaboration, to which Mr. Wilcox replied that individual agencies were not originally constructed for large-scale collaboration, either to work with other agencies or local stakeholders. Mr. Thom agreed that this was particularly true for regulatory agencies.

Chair Fiorini inquired about what agencies need in order to improve their agency's progress towards accomplishing the coequal goals. Mr. Wilcox and Mr. Ramirez mentioned a need for staff who work specifically on implementation. Mr. Ramirez also mentioned a need for increased understanding that local governments and stakeholders have the best potential to carry out restoration projects, and to continually support and communicate with them. Mr. Tjernell cited success in the Yolo Bypass and reiterated the need for local involvement. Mr. Tjernell also recommended starting from a place of mutual agreement to move projects forward and encouraged every agency to ask whether their staff is empowered to work with locals in such a way.

One Delta, One Science – How Do We Get There?

Chair Fiorini called on the Committee to endorse the Science Action Agenda as a guiding document with respect to future spending towards science in the Delta. No opposition was raised, and the Science Action Agenda was endorsed. The 2017-2021 Science Action Agenda can be found on the Council's website at <http://scienceactionagenda.deltacouncil.ca.gov/>.

Dr. Callaway asked the Committee to consider writing the preamble for the Delta Science Program's upcoming revision of the Delta Science Plan and to endorse the updated Delta Science Plan at the November Committee meeting. No opposition was raised. (Additional information about the Delta Science Plan update can be found on the Council's website at <http://deltacouncil.ca.gov/science-program/delta-science-plan-0>.)

Dr. Callaway stressed that science governance is very important, especially in terms of how science can provide the appropriate information for policy and management challenges, and he introduced the panel to help the Committee consider the two discussion questions related to governance. Mr. DeGennaro, Dr. Collier, and Dr. Lubell were asked two questions: 1) How have you seen science governance evolve in the system, and are we moving in a new direction; and 2) How can the Delta governance structure better support the decision-making process moving forward?

The panel's response to the first question was primarily positive, citing improvements in data sharing, collaboration and communication, stakeholder engagement, and a role for independent science. Dr. Lubell also noted the complexity of the existing science governance structure, with an increase in the coordinating entities over time. This messiness, however, is not necessarily bad; rather it could be indicative of an increasingly democratic system. Dr. Lubell did, however, call on the Delta Science Plan to help in understanding how to navigate the mess and provide a sense of direction by identifying the current roles of individual organizations and collaborative groups.

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Dr. Lubell then defined governance as a group of actors getting together to make decisions, and said that science governance explores how to create institutional structures in a way that is most useful for decision-making. It is crucial that independent scientists conduct science, but it also must produce data relevant to decision maker's needs. Dr. Lubell stressed the need for more research on governance in the Delta, citing two possible general approaches: 1) a need for reduced complexity; or 2) a need to embrace the complexity while also providing a way to help people understand it.

Chair Fiorini informed the panel and the Committee that approximately 80 percent of money spent on science in the Delta goes toward regulatory requirements, while little is spent on near-term support science and even less on long-term support science. Chair Fiorini asked the panel for their recommendations for a science program infrastructure that could help achieve consistent and ongoing funding.

Mr. Mooney asked the panelists if there are models that they feel are effective. Dr. Collier recommended two examples, the San Francisco Estuary Institute and the Southern California Coastal Water Research Project. Dr. Collier also agreed with Dr. Lubell's cautionary statement that a joint powers authority would not be a magic bullet, considering the many different scientific needs of the Delta, but supported using a joint powers authority type approach to set up a foundational budgetary structure.

Mr. Wilcox acknowledged CSAMP's central role in the improvement of Delta science, mentioning the need for a science program that answers questions about ecosystem health and tracks the effects of flow in relation to other stressors. Such a program could guide the Interagency Ecological Program to address necessary and relevant issues, and could be created by integrating CSAMP and adaptive management in the State's CWAP with the Water Quality Control Plan update. Mr. Degennaro also noted that CSAMP is successful because it is voluntary. Mr. Tjernell noted that the Science Action Agenda was a really well formulated gap analysis that can help with prioritization of science spending.

Dr. Collier reminded the committee that functional governance for structured spending and allocation of resources depends on the availability of needed resources. While a deficit of resources does not eliminate the need to talk about governance, if resource availability is the primary concern then energy should be primarily spent on acquiring those needed resources.

Committee Business

Chair Fiorini concluded the meeting with appreciation to presenters and reminded Committee member of the Bay-Delta Science Conference, September 10-12, and the next Committee meeting on November 5.

There were no public comments.

Key Outcomes

- Council staff will draft a Delta Issues Briefing paper to be endorsed at the November Committee meeting. The paper will highlight the best ideas and practices from the CWAP and the Delta Plan for the next administration's consideration.
- Delta Science Program staff will continue to work on updating the Delta Science Plan—in cooperation with the Delta Agency Science Workgroup—to be presented to the Committee at the November meeting. The Committee will be asked to endorse and sign the preamble to the Delta Science Plan update.
- Council staff will further engage local interests in the development of the Delta Plan Ecosystem Amendment.

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- Committee members will engage in discussions regarding governance and Delta science funding.

The webcast for the meeting can be found here: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-04-16>.

Next Meeting: Monday, Nov. 5, 2018, 1-4:30 pm, at the Tsakopoulos Library Galleria, 828 I Street, Sacramento, CA.